

### **REMARK**

Applicants respectfully request reconsideration of this application as amended.

No claims been amended, cancelled, or added. Therefore, claims 1-19 are now presented for examination.

### **Drawings**

The Examiner has objected to the drawings. The following changes have been made to the drawings:

**Figure 6A** - The reference number for the data collection unit has been changed from “600” to “608”, as is indicated in the description of the drawing in the specification.

**Figure 9** - The legend for element 932 has been changed from “CTRL-Z CR or or full?” to “CRTL-Z or CR or full?”

**Figure 10** - In the legend for element 1008, “COMR” has been changed to “COMA”.

**Figure 13B** - An extraneous reference to element 1352 has been removed.

**Figure 13C** - The reference “1350” has been added for the process illustrated in Figure 13C.

The above-referenced changes have been made in red-lined versions of the drawings. Applicant respectfully requests that Examiner approve the drawings submitted herewith. Applicant is concurrently filing formal drawings that include the described modifications.

### **Specification**

In addition to changes mentioned above, the specification has been modified to update cross-references to related patent applications.

### Claim Rejections under 35 U.S.C. § 112

Claims 1-19 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The Office Action cites to the text on page 46 of the specification indicating that “Preferably the wireless radio is a GMS type modem.” By a typographical error, the acronym GSM was written as “GMS”. This error in the specification has been corrected. It is submitted that the description presented in the specification, as corrected, is appropriate under the law.

It is not necessary to describe details regarding known well items. Modems are well known in the art. GSM transmission is also well known and does not require further disclosure. Information that is well known in the art does not need to be described in detail in the specification. See *In re Buchner*, 929 F.2d 660, 661, 18 USPQ2d 1331, 1332 (Fed. Cir. 1991); *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1379-80, 231 USPQ 81, 90 (Fed. Cir. 1986). In this particular instance, a wireless radio is used to communicate with a GMS network 1488 via one or more antenna relays 1408. In connection with this subject, the specification has also been corrected to indicate that the wireless radio is element “1452”, as indicated in Figure 14.

In addition, it is noted that the transmission of signals through a unit such as a GSM modem is also described with regard to Figures 13A through 13C. In this embodiment, communications between data terminal apparatus 1308 and a GSM network

1320 are transferred via a wireless interface 1324, preferably by way of a standard GSM modem that is a component of a data terminal apparatus 1308.

It is respectfully submitted that the application has been described adequately to allow one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

### **Double Patenting**

The Examiner has objected to claims 1-19 for double patenting under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-12 of U.S. Patent No. 6,363,335.

A terminal disclaimer with regard to U.S. Patent No. 6,363,335 is filed concurrently herewith. Applicant respectfully requests that the objection for double patenting be withdrawn.

### **Conclusion**

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

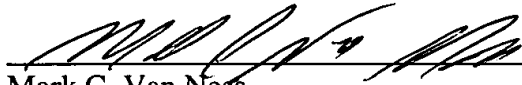
### **Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 3/4/03

  
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## AMENDMENTS -- MARKED VERSION

Presented below are the amendments with markings to indicate changes made.

### In the Specification:

*Please delete the paragraph on page 1, lines 8-14, and substitute the following in place thereof:*

This application is related to U.S. patent application Serial [Nos. [Not Yet Assigned] (attorney docket 243/151)] No. 09/400,623, now U.S. Patent No. 6,363,335, entitled, "COMMUNICATIONS BRIDGE FOR CIRCUIT SWITCHED DATA TRANSFER SIMULATION", and [[Not Yet Assigned] (attorney docket 243/250)] Serial No. 09/398,724, entitled, "DATA TERMINAL APPARATUS", both filed on the same day herewith and which are incorporated herein by reference in their entirety.

*Please delete the paragraph on page 46, lines 1-6, and substitute the following in place thereof:*

The data terminal module 100 and data terminal unit 200 communicate via a wireless radio 1452 to one or more antenna relays 1408. Preferably the wireless radio 1452 is a [GMS] GSM type modem. The wireless radio 1452 is configured to transmit and receive information between said terminal module 100, or data terminal unit 200 and GSM network 1488.

### In the Claims:

*[No modifications to the claims]*

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608

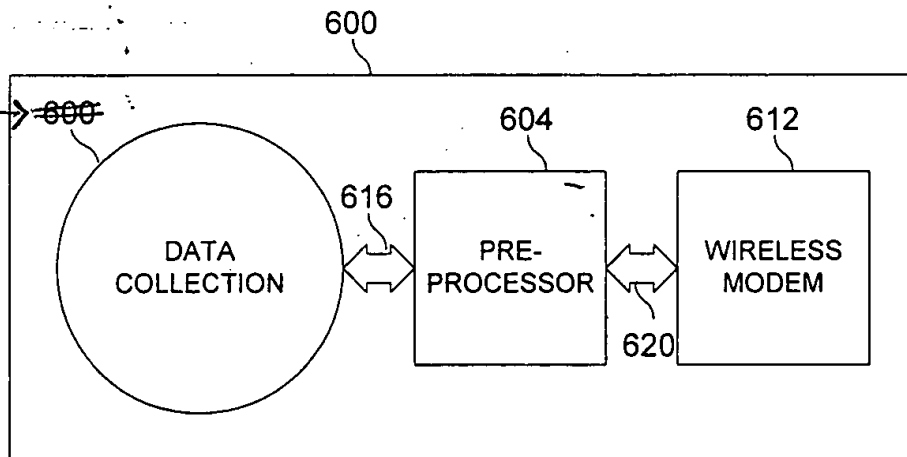


FIG. 6A

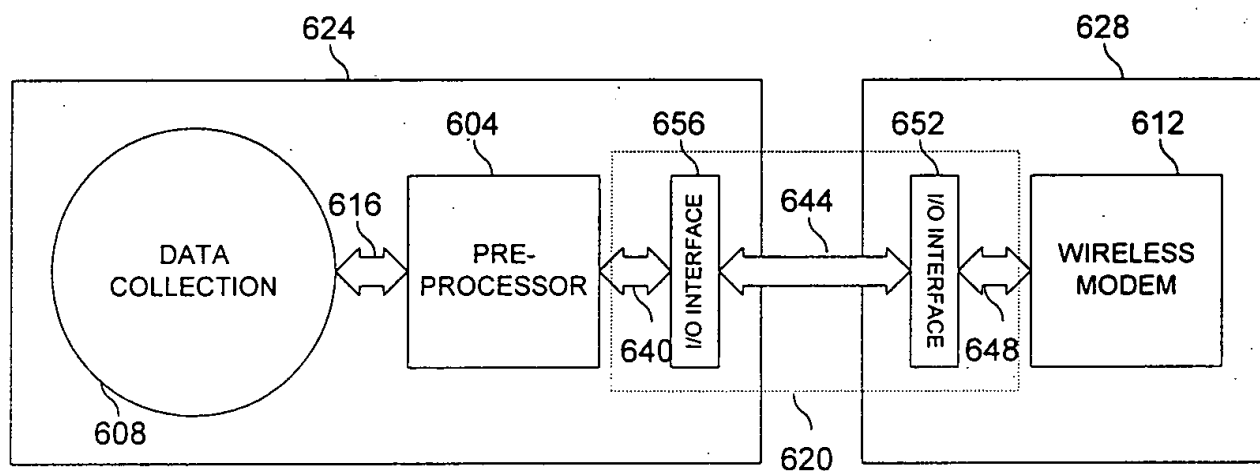


FIG. 6B

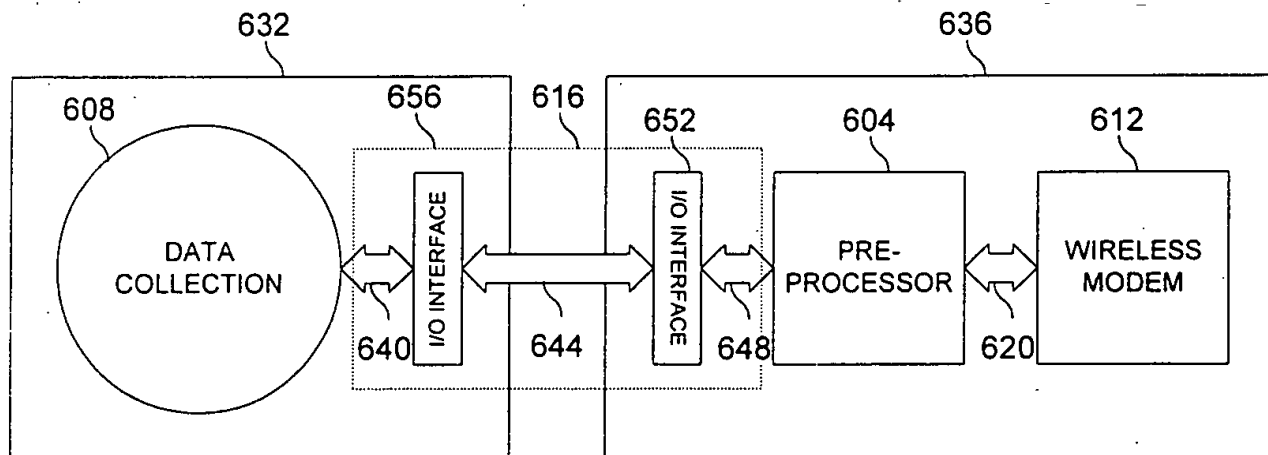
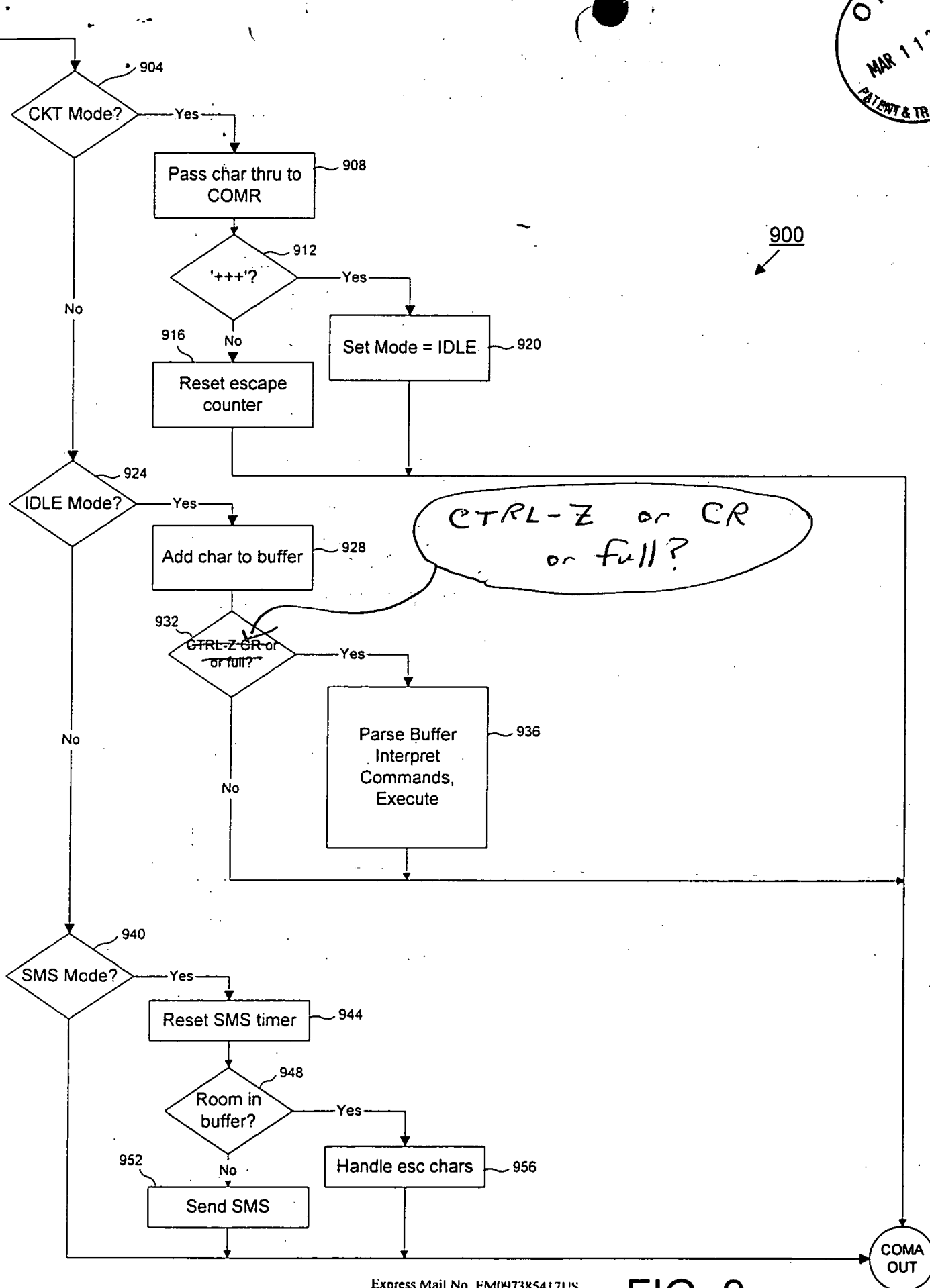
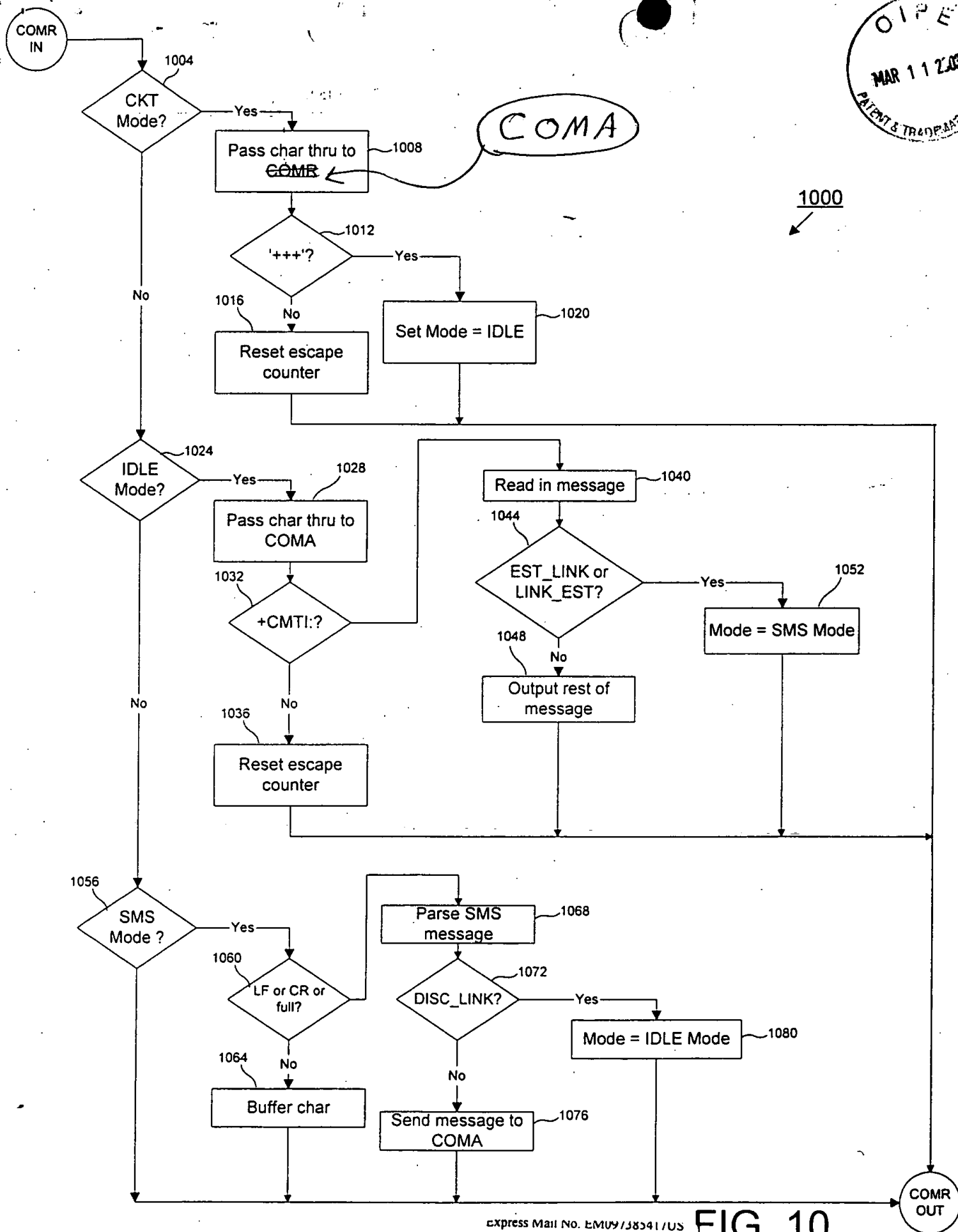
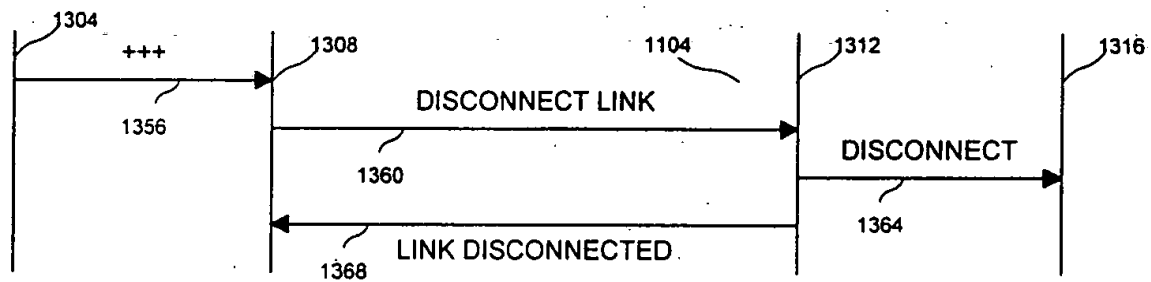
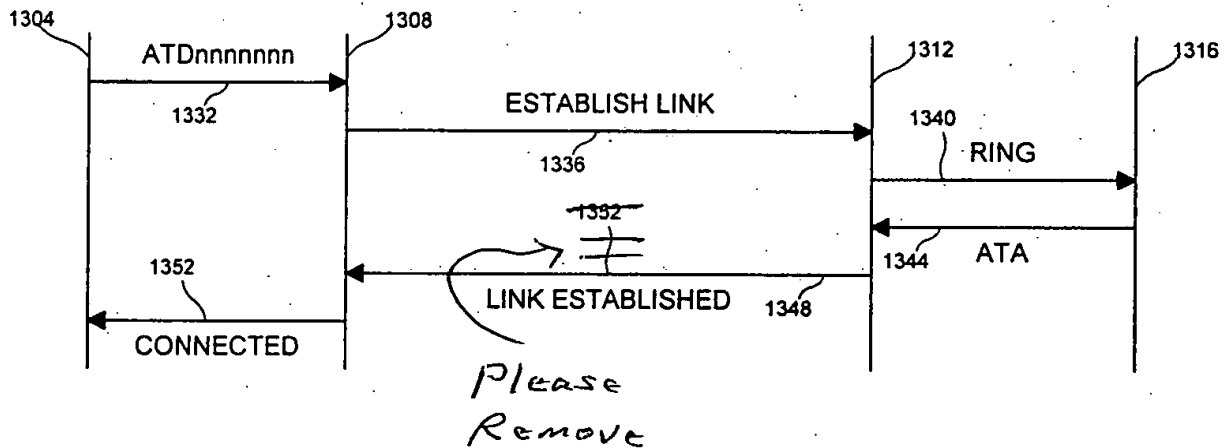
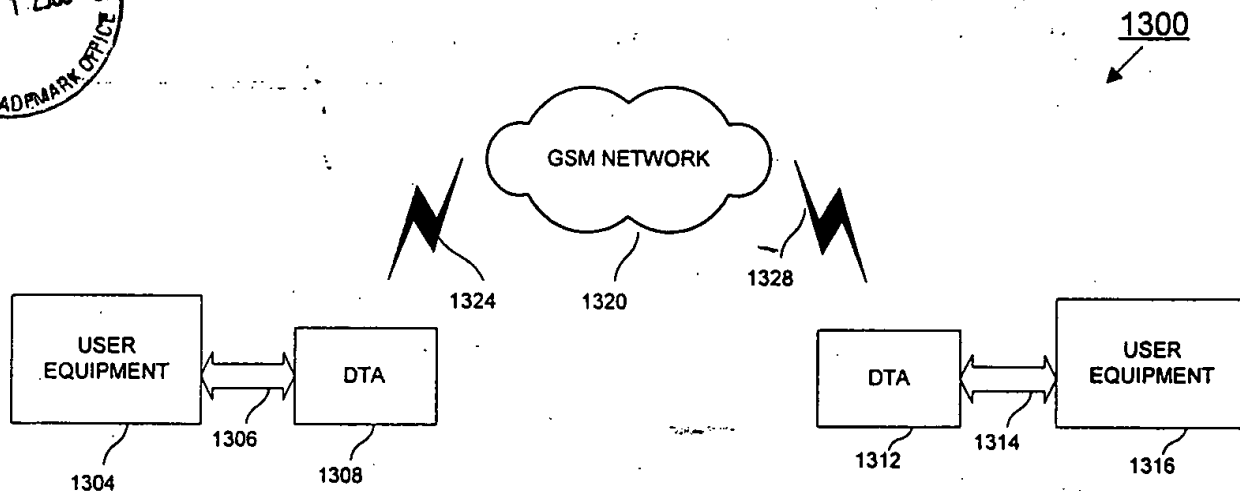


FIG. 6C









1350